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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT

Docket Number (Optional)
01169/Dkt00077

In re Application of: Robert C. Lam

Application No.: 10/678,598

Filed: October 3, 2003

For: Mixed Deposit Friction Material

The owner*, BorgWarner Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,630,416 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☑ The undersigned is an attorney or agent of record. Reg. No. 27,518

Charles R. Schaub — Signature

2-1-07 — Date

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